IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Revision No. 3739 of 2006

Date of Decision: 1.9.2006

Municipal Corporation NIT Faridabad through its Commissioner and another

...Petitioners.

Versus

Smt. Krishna wife of Dharambir

...Respondent.

CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.

PRESENT: Mr. Jasbir Mor, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.

In this revision petition filed under Article 227 of the Constitution of India, order dated 28.3.2003 (Annexure P-1) passed by the trial court which was affirmed on appeal vide order dated 1.9.2005 (Annexure P-2) has been impugned.

The plaintiff claimed that she was engaged and appointed by the defendants as a Safai Karamchari on regular basis vide appointment letter dated 17.1.1997 against a vacant post and is presently working in village Jharsentli under defendant No.2. It has been averred that she has been doing the work with great care and entire satisfaction of her superiors and the co-employees of the plaintiff are getting salary of Rs.5500/- per month while she is being paid merely Rs.1950/- per month. It has further been averred that when the respondent requested the petitioners to give equal wages for equal work they started giving threats to terminate her services.

An application for interim injunction was filed along with the suit restraining the defendants from terminating the services of the plaintiff forcibly and illegally till the decision of the suit. The defendants took various preliminary objections in their written statement.

Both the courts below came to the conclusion that the plaintiff was appointed as a Safai Karamchari on 17.1.1997 and had joined on 18.1.1997 and had continued thereafter with the defendants. On this basis, interim injunction was granted to the plaintiff and the defendants were restrained from terminating the services of the plaintiff till the disposal of the suit.

No illegality or perversity could be pointed out in the orders passed by the courts below by the learned counsel for the petitioners warranting interference in revisional jurisdiction under Article 227 of the Constitution of India.

It is further mentioned that the impugned order passed by the appellate court is dated 1.9.2005 whereas the present revision petition has been filed on 14.7.2006. No explanation for laches has been given by the learned counsel for the petitioners.

In view of the above, finding no merit in this revision petition, the same is hereby dismissed. However, the trial court is directed to decide the suit expeditiously.

September 1, 2006 **(AJAY KUMAR MITTAL)**
gbs **JUDGE**